

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
10

11 ANTHONY FREDRICK SCHLEIPER,
12 Plaintiff,

13 vs.

14
15
16 ROB OTT, et al.,
17 Defendants.
18
19

CASE NO. 11cv331-MMA (NLS)

**ORDER GRANTING MOTION TO
PROCEED IN FORMA PAUPERIS;**

[Doc. No. 2]

**DENYING AS MOOT REQUEST
FOR APPOINTMENT OF
COUNSEL;**

[Doc. No. 3]

**DISMISSING COMPLAINT WITH
PREJUDICE**

20 Plaintiff Anthony Fredrick Schleiper, proceeding *pro se*, has filed a complaint [Doc. No. 1],
21 along with a Motion to Proceed in Forma Pauperis (“IFP”) [Doc. No. 2] and a Request for
22 Appointment Counsel [Doc. No. 3]. Based on the information provided by Plaintiff, pursuant to 28
23 U.S.C. § 1915(a), the Court **GRANTS** Plaintiff’s IFP motion, solely for the purpose of the motions
24 currently before the Court. The Court is obligated to review a complaint filed IFP *sua sponte* and
25 must dismiss the action if it determines that the complaint is frivolous, malicious, or fails to state a
26 claim for relief. *See* 28 U.S.C. § 1915(e)(2). After careful review, the Court finds that Plaintiff’s
27 complaint is frivolous and void of any plausible claims for relief. Because “it is absolutely clear that
28 the deficiencies of the complaint could not be cured by amendment,” the Court **DISMISSES** the

1 complaint **with prejudice**. *Franklin v. Murphy*, 245 F.2d 1221, 1228 n.9 (9th Cir. 1984). As such,
2 the Court **DENIES AS MOOT** Plaintiff's Request for Appointment of Counsel.

3 **IT IS SO ORDERED.**

4 DATED: February 22, 2011



Hon. Michael M. Anello
United States District Judge